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GENDER JUSTICE AND FRASER'S UNIVERSAL CAREGIVER

by

MANDY C. LONG

Under the Direction of Christie Hartley, PhD

ABSTRACT

Philosopher Nancy Fraser thinks much of the disadvantage women face in employment has to do with gender norms that structure the labor market. Also important is that many employers reward workers who relegate their care responsibilities to family members or the market. Fraser's proposal, the Universal Caregiver model, would build institutions on the assumption that everyone has important caregiving responsibilities. Fraser provides merely a sketch of this model, and its viability depends on consideration of the concrete policy proposals that would need to be in place. My project is to fill in Fraser's sketch and consider policies from other theorists working on the issue. I argue that the Universal Caregiver model is justified because caregiving is a basic need of persons as citizens and because current arrangements are unjust along gender lines.

INDEX WORDS: Gender equality, Dependent care, Employment, Caregiver, Justice, Fraser

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A Thesis Submitted in Partial Fulfillment of the Requirements for the Degree of

Master of Arts

in the College of Arts and Sciences

Georgia State University

2016

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August 2016

DEDICATION

I would like to dedicate this thesis to my mother, Margy Berry, who has struggled to live through most of the injustices I am trying to untangle.

ACKNOWLEDGEMENTS

I would like to thank Dr. Christie Hartley, who introduced me to Nancy Fraser's work and several of the other articles and books I worked with, and guided me throughout the thesis process with the perfect combination of direction and encouragement of my self-sufficiency. I would also like to thank Dr. Andrew I. Cohen, who helped me to better formulate the second objection and my response to it. I thank Dr. William Edmundson for serving on my committee and for my coursework with him. And last but far from least, I thank Dr. Sandra Dwyer for enabling me to write an earlier version of this paper which helped to put a lot of moving pieces in place, as well as for offering support and an extra pair of eyes at every step along the way.

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1 INTRODUCTION

In the United States, women have made great strides in education and employment. Since 1970 the percentage of women in the labor force holding college degrees has more than tripled, from 11 percent to 39 percent.¹ Women in full time positions have drastically narrowed the gender pay gap from 62 percent of men's full time earnings in 1979 to 82 percent in 2013.² However, there are still many notable employment inequalities. The labor force remains heavily gender divided: women hold a small portion of computer and mathematical occupations (26 percent), protective service occupations (21 percent), architecture and engineering occupations (14 percent), and natural resources, construction, and maintenance occupations (just 4.6 percent); in contrast, they hold a large majority of office and administrative support occupations (73 percent), education, training, and library occupations (74 percent), and healthcare support occupations (89 percent).³ Although law students, medical students, and undergraduate business students are roughly half men and half women, women make up only about one third of the top-earning positions in these careers, such as physicians and surgeons (35.5 percent), lawyers (33 percent), and chief executives (27 percent).⁴

Employed women are twice as likely as employed men to hold part-time positions (26 percent and 13 percent respectively), which lack benefits and pay proportionally less than full-time positions.⁵ The full-time employment rate of married mothers is half that of married fathers

¹ Bureau of Labor Statistics (BLS), "Women in the Labor Force," 1–2, 30–31 Table 11.

² Ibid., 59–60 Table 16. Note that this statistic is the average percentage of all full-time men's earnings compared to all full-time women's earnings. But we should also pay attention to how White men compare to White women (81.6 percent), Black women (68.5 percent), and women with Hispanic or Latino ethnicity (61.2 percent) with full-time employment. Within their own race/ethnicity, Black women and women with Hispanic or Latino ethnicity both have a full-time wage gap of approximately 91 percent.

³ Ibid., 34–35 Table 11.

⁴ Ibid., 34–45 Table 11. While women only hold 35.5 percent of physician and surgeon jobs, they hold 64.6 percent of physician assistant jobs.

⁵ Ibid., 3.

(43 percent and 88 percent, respectively).⁶ And while fatherhood has either no effect or a slightly positive effect on men's earnings, motherhood adversely affects women's earnings by about 7 percent per child.⁷

Laws and policies in modern Western democratic states formally preclude sex discrimination in education and employment. However, a gendered pay gap and gendered division of labor persist. Critical theorist and philosopher Nancy Fraser thinks much of the disadvantage women face in employment has to do with gender norms that structure the labor market and affect expectations about employment.⁸ Employers reward workers who relegate their care responsibilities to family members or the market, and the requirements of many full-time jobs effectively presume workers have no care responsibilities. Given the labor market's lack of support for caregivers, there is pressure for families to organize their lives in a certain kind of way. Men and women are both encouraged to work hard, but there is an association of women as caregivers and of good mothers as those who are always available for their children. As of 2014, women in households with children under 18 on average spent 75 percent more time doing household activities and 86 percent more time caring for household members than men; but even when limited to only *employed* women and men, those numbers barely shrink (to 50 percent and 59 percent, respectively).⁹ Gendered expectations about domestic work continue to shape the lives of working women, and as a result they are "pushed out" of the best jobs.¹⁰

⁶ Bureau of Labor Statistics (BLS), "Married Parents' Use of Time, 2003-06," 1.

⁷ Budig and England, "The Wage Penalty for Motherhood," 204–205.

⁸ Fraser, *Justice Interruptus*, 41–62.

⁹ Bureau of Labor Statistics (BLS), "American Time Use Survey - 2014 Results," 18–19 Tables 8A and 8B. All men and all women in households with a child under 18 reported 1.32 and 2.31 average hours per day (respectively) performing household activities, and 0.97 and 1.81 average hours per day caring for and helping household members. The times for only employed men and women in those households are 1.24 and 1.85 average hours per day performing household activities, and 0.93 and 1.48 average hours per day caring for and helping household members.

¹⁰ Williams, *Unbending Gender*. I deny that any biological difference between males and females is responsible for the above statistics. Regarding the low numbers of women in high-paying positions: there may be many other

Women often occupy less-prestigious and lower-paying careers that provide the flexibility needed for caregiving. But with less money and less free time, women suffer serious economic and political disadvantages. In a system that assigns little if any market value to caregiving, caregivers are marginalized from many social roles that confer authority and responsibility.¹¹

Fraser evaluates the two dominant welfare state models that aim for gender equity, which she terms "Universal Breadwinner" (UB) and "Caregiver Parity" (CP).¹² She argues that neither will secure gender equity because they focus only on changing or subsidizing women's life patterns. Fraser's alternative, the Universal Caregiver (UC) model, would make men's life patterns more like women's and build institutions on the assumption that everyone has important caregiving responsibilities.¹³ This would not only normalize traditionally-female labor and reduce free-riding on women's unpaid and underpaid carework, but would also ease the intense demands imposed on men by the workaholic breadwinner role.

I will defend Fraser's UC model. However, Fraser provides merely a sketch of this model, and its viability depends on consideration of the concrete policy proposals that would need to be in place. My project is to "fill in" Fraser's sketch of the UC model and to consider policies from other theorists working on the same issue. To guide policy choices for the model, I will propose a non-exhaustive list containing nine needs of working caregivers and suggest policies to fulfill each of these needs. I argue that the UC model fulfills Fraser's seven principles of gender equity. I conclude that, as Fraser hoped in her initial proposal, the Universal Caregiver model truly

factors at play, such as a lack of female mentors in prestigious career tracks. I am not asserting that discriminatory intent is necessarily involved, although occasionally it may be.

¹¹ Ibid., 1.

¹² From this point forward, I will use "UB" to denote "Universal Breadwinner," and "CP" to denote "Caregiver Parity." These are my own acronyms, not Fraser's.

¹³ Likewise, I will use "UC" to denote Fraser's "Universal Caregiver." This is also my own acronym.

combines the best of the Universal Breadwinner and Caregiver Parity models—but with none of the snags.¹⁴

I will consider three objections. The first objection is that children are a kind of expensive taste, and as such, the disadvantage parents face *as parents* is not an injustice. The second is that the organization of particular family care arrangements is better left to the private choice and creativity of individuals rather than the far-removed hand of public policy makers. Third, the UC model's mission to improve the economic situation of caregivers disproportionately burdens employers.

¹⁴ Fraser, *Justice Interruptus*, 60.

2 FRASER ON MODELS FOR GENDER EQUITY

Given the gender inequality produced by current U.S. arrangements, Fraser says a new policy model is needed and feminists are in a good position to propose one. Employment is now less stable than in the industrial era, family structures are more diverse, and the concept of a heterosexual, nuclear household with a male breadwinner and a female homemaker is increasingly irrelevant.¹⁵ Again, two dominant models have emerged among feminists: "Universal Breadwinner" and "Caregiver Parity." To evaluate these models, Fraser proposes a complex conception of gender equity which consists of seven distinct normative principles. She includes principles of anti-poverty, anti-exploitation, income-equality, leisure-time-equality, equality-of-respect, anti-marginalization, and anti-androcentrism.¹⁶ Each principle plays a necessary role in fully realizing gender equity.

The Universal Breadwinner model encourages women to enter the labor force and is popular among U.S. liberals and feminists. UB aims to universalize the breadwinner role so both women and men can earn enough to support their families.¹⁷ Some crucial programs that would need to be implemented include state-funded childcare and eldercare, workplace reforms to eliminate sex discrimination and harassment, and social policies to reorient women's goals toward employment and men's attitudes toward acceptance.¹⁸ Most carework would be passed to the market and state rather than remaining within the domestic sphere.¹⁹

To assess the model, Fraser imagines that the social, political, and economic preconditions needed are met.²⁰ She says the UB model would satisfactorily fulfill five of her

¹⁵ Ibid., 41–42.

¹⁶ Ibid., 45–49.

¹⁷ Ibid., 51.

¹⁸ Ibid., 51–52.

¹⁹ Ibid., 52.

²⁰ Fraser, *Justice Interruptus*, 52–53.

principles, but would fall short of securing full gender equity. UB would prevent poverty and exploitation for most women through secure, quality jobs. It would perform "fair" on income equality, insofar as people who could not work or would still perform primarily carework would suffer a disadvantage. Equality of respect would also only perform "fair" because of the UB's cultural hierarchy of breadwinners over others. Anti-marginalization is additionally only "fair" due to the reduction in time and energy women would have left for politics and other activities after spending their days breadwinning *and* caregiving.²¹ They would suffer this reduction in time and energy because of the two principles UB can't fulfill: leisure-time-equality and anti-androcentrism. The UB would be unlikely to secure equal leisure time since some carework cannot be shifted to the market or state—such as childbearing, family emergencies, some parenting work, and many household tasks.²² Women would likely take on these tasks because the high value of wage labor would disincentivize men from contributing their share of domestic labor. UB also performs poorly on anti-androcentrism because the traditionally-male labor market is valorized while no traditionally-feminine virtues—such as caregiving—have been preserved or universalized. The model is designed to value only a masculine conception of success: breadwinning. Fraser says the UB would provide the best outcomes to women who could most easily assimilate to male norms, such as unattached or childless women.²³

The Caregiver Parity model endorses and subsidizes informal carework, and is popular among Western European feminists and social democrats. It aims to make the life-patterns of many women—which generally include periods of full-time employment, full-time carework, and combinations of work and care—costless compared to the life-patterns of breadwinners.²⁴

²¹ Ibid., 54.

²² Ibid., 53–54.

²³ Ibid., 55.

²⁴ Ibid., 55–56.

Crucial programs to be implemented include caregiver allowances equivalent to a breadwinner wage, workplace flexibility reforms, ensured continuity of benefits, and mandated family and pregnancy leaves.²⁵ Carework would remain largely in the domestic sphere, and citizens who could perform neither market work nor carework would be eligible for means-tested state support.²⁶

As with UB, Fraser concludes CP would only fulfill five of her seven principles of gender equity. CP would prevent poverty and exploitation by providing women with stable and adequate income even during their most carework-intensive periods. CP would perform "fair" on leisure-time-equality because women would still face the dilemma of foregoing free time for the economic benefits of combining breadwinning and caregiving, while most men wouldn't.²⁷ It would also only perform "fair" on equality-of-respect because although CP would do better than current U.S. arrangements, respect for the breadwinner role would still outweigh respect for caregivers.²⁸ CP would additionally be "fair" at tackling androcentrism because caregiving would become paid labor with intrinsic value. However, CP would be unlikely to secure either income-equality or anti-marginalization. Because "mommy track" jobs earn less than breadwinner jobs, men would be especially unlikely to take these positions and women would remain primary caregivers.²⁹ CP would marginalize women even within the employment sector and perhaps hinder them from participating in politics and civil society. Rather than encouraging men or women to change, CP would only subsidize women's current life-patterns.³⁰

²⁵ Ibid., 56.

²⁶ Ibid., 56–57.

²⁷ Ibid., 58.

²⁸ Ibid.

²⁹ Ibid., 57–58.

³⁰ Ibid., 58–59.

Fraser concludes that neither the UB model nor the CP model can provide full gender equity even in a highly-idealized thought experiment.³¹ Because UB induces women to model men's lives and CP leaves men and women unchanged, she proposes a model that would induce *men* to become more like *women*.³² This is the Universal Caregiver model, in which everyone would be incentivized to adopt life-patterns that combine both work and caregiving. Crucial to this model would be a shorter workweek, all jobs designed for working caregivers, and state funding for local institutions that would democratically manage carework.³³ But most importantly, Fraser thinks this model would achieve gender equity by deconstructing gender.³⁴ Gendered activities would become integrated, "effectively dismantling the gendered opposition between breadwinning and caregiving."³⁵ These activities would no longer be assigned on the basis of gender. Caregiving would be valued equally alongside breadwinning, and the performance of carework would no longer confer disadvantage upon individuals.

Fraser ends with a few ideas for developing her UC model, for which she says "much more work needs to be done."³⁶ She says a key is to craft policies to discourage free-riding. The free-riders are not poor single mothers, but rather are men who shirk responsibilities for caregiving and household labor. She additionally indicts corporations that free-ride on the underpaid labor of their workers. I think this indictment aptly notes that workers presently have two options: either accept lower pay and less success, or relegate carework to family members or the market. Fraser's proposal highlights the integration of employment and carework as the key

³¹ Ibid., 59.

³² Ibid., 60.

³³ Ibid., 61.

³⁴ Ibid., 61–62.

³⁵ Ibid., 61.

³⁶ Ibid., 62.

to gender equity—by giving all citizens, men *and* women, opportunities to participate in wage-earning, caregiving, community, politics, and civil society.³⁷

³⁷ Ibid.

3 THE UNIVERSAL CAREGIVER

Now remains the task of identifying concrete policies to actualize Fraser's view. UC policies need to promote or fulfill the needs of workers with care responsibilities. Most adults would seek some combination of market work and carework, but some would opt to be long-term full-time caretakers and others would remain unattached or childless. UC policies would need to be sensitive to all citizens' needs, but particularly to the needs of citizens combining carework and market work. Because market workers tend to be of the age when care responsibilities for children, aging parents, and other family members arise, and because workers are often the most physically and financially capable of providing such care, it is important for policy to reduce conflict between the labor market and caring in the home.

To guide policy choices for the UC model, I propose the following list as the needs of working caregivers: (1) time to provide routine care, (2) time for care-related work interruptions, (3) flexibility for expected needs of dependents, (4) flexibility for unexpected needs of dependents, (5) reasonable employer accommodation, (6) affordable access to high-quality market carework, (7) affordable access to comprehensive healthcare, (8) no marginalization, and (9) no gender assumptions regarding the assignment of carework or market work. This list is by no means exhaustive, but with it we can begin to paint a picture of the UC. I will describe each need of working caregivers and propose some policies that may best fulfill them.³⁸

The first and most obvious need of caregivers is time to provide sustained emotional and physical care to dependents. These are normally-occurring long-term care projects that fulfill ordinary care needs that occur over the course of a human life. They include the everyday tasks of caring for a minor or an elderly, ill, or disabled person, such as bathing, dressing, feeding,

³⁸ Although I will focus on policies that have records of workplace and economic success, the normative pull of these policies ultimately comes from the fact that they assign value to caregiving and fulfill caregivers' needs.

transportation to school or other activities, helping with homework, providing emotional support and mentoring, and shopping for needed foods, medicines, or supplies. Fraser's proposal for a shorter work week is a great start, but further policies that limit how much time employers may require or encourage employees to spend at work are key. One thing employers can do is offer compensatory time off in place of overtime pay. Current U.S. concerns about employer abuse of compensatory time off may be precluded by other UC policies (such as pay sufficient for an adequate standard of living, equal pay for caregivers and non-caregivers who perform the same work, and anti-discrimination policies regarding equal opportunity for career advancement and interesting work). Employers may also offer creative incentives for workers to leave the office by a certain time. For example, the tech company SurveyMonkey provides employees only two meals a day—rather than three—to encourage them to eat dinner with their families.³⁹ Other companies offer daily to-do lists instead of punching the clock, which allows employees to be paid the same for less time if they finish required daily tasks.⁴⁰

Second, caregivers need time to address the circumstances in which extended care-related work interruptions may be necessary. Employees will inevitably encounter care duties that cannot feasibly be delegated to the market or combined with full-time work, such as the birth or adoption of a child, the illness or injury of a loved one, or the hospice period at the end of an aging parent's life. These interruptions may play out as a temporary switch to part-time work, to an earlier or later shift, working from home, or complete leave. Caregivers need the financial ability to do this, which can come in the form of paid sick leave, paternity/maternity leave, or even compensation for a temporary switch to part-time work.⁴¹ The state can incentivize

³⁹ Passariello, “In Silicon Valley, Pitching Parental Leave to the Converted.”

⁴⁰ Song Sutton, “5 Employee Incentives That Actually Work.”

⁴¹ More on reasonable employer accommodation, the fifth need of caregivers, is below. The UC is not so demanding as to require employers to compensate a caregiver for an indefinite switch to part-time work.

caregiving equality between parents by offering longer periods of paid leave if both parents take leave after the birth or adoption of a child. Because women tend to earn less than their husbands and will thus be more likely to take leave, some countries—such as Sweden and Iceland—have successfully incentivized men to take leave by making paid leave more competitive with workers' salaries.⁴² This way all workers can take needed leaves to provide care without having to pit those responsibilities against their career and salary.

Caregivers' third need is flexibility to attend to the *expected* needs of dependents. Work flexibility is a major way for employers to accommodate the care duties of employees. There has been a push for employers to value results rather than simply face time, which makes economic and ethical sense for companies and workers. Expected needs of dependents include scheduled doctor's appointments, therapy, tutoring and education-related appointments, and other necessary arrangements made by caregivers. Working caregivers need the ability to rearrange the completion of work projects they know they will miss. Important methods employers can offer are flex-time, job-sharing, telecommuting, and other strategies for completing work that do not entail stringent on-site presence from nine-to-five.⁴³

Fourth, caregivers also need flexibility to deal with the *unexpected* needs of dependents. These include medical emergencies or accidents, unexpectedly-ill children or family members, or any of the endless other kinds of unpredictable occurrences that caregivers encounter. The most important way employers can provide flexibility for these situations is to anticipate their occurrence and offer ways for workers to quickly rearrange their schedules. This may include methods noted above such as flextime and telecommuting, but the important element for unexpected occurrences is that workers need the ability to switch their schedules without long

⁴² Guilford, "The Economic Case for Paternity Leave."

⁴³ Williams, *Unbending Gender*.

and drawn-out bureaucratic processes requiring extensive justifications for their request. There should be quick ways for workers to have a change approved by their employer because care-related emergencies do not give forewarning.

The fifth need of caregivers is reasonable employer accommodation for the fulfillment of care responsibilities. This includes assurance that providing reasonable care will not result in financial or workplace penalties. However, this does not mean that unattached or ambitious workers with preferences for working or earning more could not do so. It only means that job descriptions must be compatible with the requirements of the UC model, such that caregiving employees would be assured equality of pay, opportunity for career advancement, and interesting work. Workers may use UC flexibility policies to perform carework themselves or they may use equal pay to delegate some of their carework to the market. Reasonable accommodation precludes marginalization of caregivers into separate market work via mommy-tracks. Policies include caregiver anti-discrimination laws in employment and mandated workplace flexibility options.

Sixth, caregivers need affordable access to high-quality childcare, eldercare, and care for disabled individuals. Policies may include state-funded care vouchers, state incentives for businesses to offer on-site childcare or a childcare/eldercare benefit, state incentives for workers to enter care professions, and state investment in high-quality education for workers who enter those professions. The high expense of quality childcare is one of the factors that puts pressure on workers to opt out of market labor in order to fulfill care responsibilities, especially female workers who may (through other social pressures) hold lower-paying jobs that either match or barely exceed the cost of childcare. The policies listed above are some of many that could fulfill the sixth need of caregivers, but policies without heavy ties to employment are preferable. Fraser

expresses that a big concern of the anti-exploitation principle is contingent access to healthcare. The less that a caregiver must depend on a spouse, an employer, or a case worker for their healthcare (and presumably also their childcare), the better caregivers' lives will be.

The seventh need of caregivers is affordable access to comprehensive healthcare for themselves and dependents. Health costs weigh heavily on caregivers because dependency often entails a certain stage of life (childhood, old age, illness, or disability) in which healthcare is most needed. Caregivers need financial access to services for routine health care, reproductive health, family planning, preventative care, and hospice care. While the UC is compatible with many healthcare systems, single- or multi-payer non-profit systems that cover everyone may do the best job of fulfilling caregivers' needs. As with childcare, this is because caregivers' healthcare coverage should not depend upon a caregiver's relation to a spouse, an employer, or a case worker. Beyond these considerations, caregivers' healthcare needs can be met by almost any system that provides them cheaper, comprehensive, and easier access to healthcare.

Eighth, caregivers need the ability to participate in all social spheres that are central to citizenship. Fraser notes the importance of participation in spheres such as politics, employment, and the "associational life of civil society."⁴⁴ Marginalization from these spheres renders caregivers unequal members of society. Additionally, their active participation is required for policy to meet and continue meeting their needs. Fraser's anti-marginalization principle captures much of the idea I wish to convey for this caregiver need, and her suggestions for state-funded childcare, eldercare, and provisions for things like public breast-feeding are apt here as well.⁴⁵

Caregivers' ninth and last need is the elimination of gendered assumptions regarding who will perform market work or carework. Employers may not discriminate on the assumption that

⁴⁴ Fraser, *Justice Interruptus*, 48.

⁴⁵ Ibid.

women will not be stable employees, and they may not marginalize mothers (or fathers) once they return to work by limiting promotion opportunities and relegating menial tasks to them. UC policies need to include careful gender-neutral phrasing while also incentivizing men to perform an equal share of carework. This may be done by augmenting or removing policies that result in adverse economic effects on the lower-income earner (typically, a woman) of a two-earner household. For example, the UC should remove current tax burdens on two-earner households in which partners earn roughly equal incomes, otherwise known as the "marriage penalty."⁴⁶ In the same spirit, policies should make paid care leaves competitive with the salary a worker would earn from not taking leave. The UC should not result in a large proportion of only one gender taking advantage of parental leave or flexibility options.

With these policies, the UC model fulfills each of Fraser's seven distinct normative principles of gender equity. It has policies to prevent poverty and exploitation, provide income equality, and remove gendered burdens on leisure time. It can also foster equality of respect for market and care work, prohibit the marginalization of caregivers, and properly value the traditionally-feminine labor of caregiving while deconstructing gender. As Fraser hoped in her initial proposal, the UC truly combines the best of UB and CP—but with none of the snags.⁴⁷

⁴⁶ Whittington, "Marriage Penalty."

⁴⁷ Fraser, *Justice Interruptus*, 60.

4 OBJECTIONS TO THE UNIVERSAL CAREGIVER MODEL

Now I will address three important objections. The first two concern policy's role in supporting caregiving, and the last concerns particularities of Fraser's UC model. The first objection is that children are a kind of expensive taste, and as such, the disadvantage parents face *as parents* is not an injustice. The second is that the organization of particular family care arrangements is better left to the private choice and creativity of individuals rather than the far-removed decisions of public policy makers. Third, the UC model's mission to improve the economic situation of caregivers disproportionately burdens employers.

Consider the first objection. Despite the personal happiness one might gain from having children, it is widely known that doing so is costly and will require parents to expend considerable amounts of money and energy in the process. However, one can avoid these heavy costs by choosing not to have children.⁴⁸ There is no reason for taxpayers to support expensive decisions or lifestyles that individuals choose (or can avoid by using appropriate methods). For example, taxpayers should not be required to support the lifestyles of individuals who are satisfied with nothing less than the most expensive food and drink, or whose contentment requires purchasing pricy clothes and cars. Thus the costs of having a child ought to fall on the parents' own tab; and any disadvantage parents suffer *as parents* is not an injustice because they could have acted otherwise.

This objection fails for two reasons. First, children are public goods. Parents' collective efforts produce goods that distribute to the rest of society.⁴⁹ Children grow up to become taxpayers, laborers, and public servants that will produce the goods and services others will need.

⁴⁸ This discussion includes both biological and adoptive parents. The objection assumes intention when becoming a parent (or perhaps, negligence regarding methods of avoiding parenthood). However, I will not address the important issue of intention or lack thereof. I think the objection is extremely insensitive to victims of rape. But I also think it fails even for parents who actively choose parenthood.

⁴⁹ Olsaretti, "Children as Public Goods?"

Everyone, including individuals who do not have children, will reap the societal benefits that come from parental labor. This becomes more obvious when we realize that political society is an intergenerational system: Rawls calls it "a scheme of cooperation over time indefinitely."⁵⁰ Society as we know it only continues because some citizens choose to become parents and perform the work of caring for children. Moreover, a society that ensures its parents can afford *well-raised* children will be of higher quality in the long run.⁵¹ Parents produce a benefit that distributes widely, and they incur great costs in the process. Taxpayer money to offset these costs is thus justified.

The second reason the objection fails is that vulnerability in childhood is part of the human condition. Because everyone needs care at that point in their life, it is reasonable to want those who provide childhood care to oneself to be supported. Individuals require care throughout their lives when they are ill, injured, or elderly, and some severely disabled persons require permanent care. The survival of each new life requires that at least one person commit to prioritizing a child ahead of other opportunities for financial gain, leisure time, and potentially their own education and career advancement for almost two decades. This commitment unavoidably must happen again, although for shorter durations, during periods of illness and injury in adulthood. And finally, the commitment is again needed at the end of each life as an elderly individual ages into any number of disabling diseases. Martha Nussbaum says, "any real society is a caregiving and care-receiving society, and must therefore discover ways of coping with these facts of human neediness and dependency that are compatible with the self-respect of

⁵⁰ Rawls, *Justice as Fairness*, 162.

⁵¹ For "well-raised," I have in mind things like quality education, opportunities for skill development and moral training, and even basics like good nutrition and healthcare.

the recipients and do not exploit the caregivers."⁵² Care is a necessary part of every human society, and people who perform that work should not be disadvantaged.

The objector might respond that the UC's justifications commit one to also endorsing state support for other kinds of important and necessary work. The given characterization of caregivers may also fit other kinds of currently unsupported labor. If we are to take seriously this justification, then the state must also enact policies to support the financial independence of farm laborers, construction workers, factory workers, and so on. Thus, either the UC's justification is too broad or the above arguments' far-reaching implications must be admitted.

It is important to clarify that the UC model does not deny the necessity and importance of the work performed by other kinds of laborers, who may very well have legitimate claims for state support. It is not that these laborers *do not* merit policies in their favor, it is just that the UC highlights why caregivers *do* merit such policies. These kinds of labor are different from caregiving, and would have to be evaluated on their own merits. I argue that caregiving is a matter of justice first because it is a basic need of persons as citizens and second because current arrangements are unjust along gender lines.

First, caregiving is more than just important and necessary labor for the thriving and continuance of society—it is a basic need of persons as citizens that supports the physical, emotional, and psychological needs of citizens in all stages of life by bringing in new generations and caring for aging generations. As discussed above (so I will not repeat myself at length), care is an integral part of the human condition. But second, because of this special necessity of caregiving, the historical disempowerment of women as caregivers is especially unjust. Nussbaum says, "This is a central issue for feminism since, in every part of the world, women do a large part of this work, usually without pay, and often without recognition that it is work. They

⁵² Nussbaum, "The Future of Feminist Liberalism," 49.

are often thereby handicapped in other functions of life."⁵³ No natural disability is the cause of women's statistically poorer situations. Women have historically been held back by socially-imposed gender roles that push them out of higher-paying careers and funnel them into underpaid and undervalued work. Even though much progress has been made in the pursuit of gender equity, women still perform the majority of domestic work.⁵⁴ And it is well-documented that in the face of overwhelming tension between work and home, they will accept work penalties or quit their jobs more often than male workers.⁵⁵ Women encounter pressures to make these difficult decisions even in accommodating systems such as those in Scandinavia. By providing workers the space to attend to demanding and universal life events, and by encouraging workers of all genders to fulfill their care responsibilities, employers can both retain talented workers they might otherwise lose and save on training and rehiring costs to replace those who would eventually bend to care-related pressures to quit (traditionally, female employees).⁵⁶ The UC compensates for these gendered social pressures by giving workers the ability to earn a livable wage without needing to conform to the outdated and unfairly gendered breadwinner role.

Now consider the second objection.⁵⁷ An objector might say that the particular care arrangements within a family or household are better left to private choice than to the more distal opinions and manipulations of public policy makers. One reason this is important is because the state should allow citizens ample space to exercise their own conceptions of the good. One such conception might involve a belief that men and women have natural differences which better suit

⁵³ Ibid., 49–50.

⁵⁴ Bureau of Labor Statistics (BLS), "American Time Use Survey - 2014 Results," Table 8A.

⁵⁵ Bureau of Labor Statistics (BLS), "Married Parents' Use of Time, 2003-06"; Williams, *Reshaping the Work-Family Debate*; Belkin, "The Opt-Out Revolution"; Guilford, "The Economic Case for Paternity Leave."

⁵⁶ Belkin, "The Opt-Out Revolution."

⁵⁷ Special thanks are due to Andrew I. Cohen for helping me to develop this objection and my response, which are of much higher quality thanks to his careful feedback.

men to the performance of market labor and women to caregiving and homemaking, and families who subscribe to this view might prefer arrangements consisting of one male breadwinner and one female caregiver. Policies that privilege only one type of arrangement would inflict a burden on non-conformers.

Certainly this critic would have a point if the UC were to keep them from acting upon their own conception of the good. To achieve this, policies enacted in accordance with the model would need to remove alternative care arrangements as feasible options for individuals, or at the very least significantly increase the difficulty of attaining these arrangements. However, the UC does not impose such a burden on dissenters. The model seeks to *remove* barriers, at least for those attempting to combine employment and caregiving. This should result in working caregivers having easier access to their own economic independence and greater participation in other spheres of civil society that are important to citizenship. The UC should not preclude the possibility of alternative arrangements for individuals or families with different preferences. Ambitious workers would still be able to work more, and dedicated homemakers would still be able to take on full-time caretaking roles.

It is true that some citizens would not benefit from UC policies, and may dislike them due to a conflicting view of the good; they might even resent paying taxes to financially support the policies. However, their resentment does not mean the UC does not have public justification. As discussed, caregiving provides society-wide benefits and merits state support because it is a basic need of persons as citizens and current arrangements are unjust along gender lines. The policies are not bad just because they conflict with some citizens' views of the good, and no one would force them to act in accordance with the policies. But UC policies recognize society as an

intergenerational system of cooperation and take apt steps to improve its functioning as such. The UC's public justification is what is important.

The objector may respond with a second, separate reason that care arrangements are best left to private choice rather than being influenced by policy makers. A lack of state intrusion on these sensitive topics is important because individual creativity may do a better job of solving the problem. If the state prescribes one vision of family care arrangements because it thinks these arrangements will increase gender equity, then we are in a lot of trouble if the state is wrong (and they may very well *be* wrong). If individuals are allowed to freely experiment with their own care arrangements, this unobstructed creative space may be more conducive to producing a solution to the problem of gender inequity. Thus, the state should put forth no singular picture of the family because it might impede individuals who are creatively trying to solve the problem.

Here the objector has in mind an empirical solution to gender inequity. Individuals may just be creative enough, if given their own space, to engineer family arrangements that best solve the problem. However, the objection does not take into account the *kind* of problem that needs to be solved. Gender inequality is an institutional problem. This systematic kind of inequality involves women's diminished bargaining power, accompanied by economic and cultural disadvantage. Women will be less able to negotiate their own equality without some sort of backing. Individuals just don't have the power to create their lives to deal with these institutional problems. The ones who need change the most—women—will have the least power to change things if individuals are left to their own devices. With current non-ideal conditions in the U.S., some kind of policy (such as the UC) is needed at least as a stepping stone towards a more equitable society in which citizens with equal bargaining power can creatively experiment with their own caregiving arrangements.

Next I will consider the third objection, which concerns some particularities of Fraser's UC model. Some might claim that the UC model prioritizes working caregivers' needs to the point of overly-burdening employers and perhaps impeding business efficiency. Although caregivers are disadvantaged in some respects, this is not the fault of employers. It seems wrong to place the burden of improving caregivers' economic and social situations on them.

First and more importantly, the UC would be incompatible with results in which businesses could not make profits due to constant subsidization of employees' care responsibilities. Fraser is normatively concerned with other issues that are important for social welfare besides just gender equity, such as efficiency, community, and individual liberty.⁵⁸ Promising empirical data is also available from California, which became the first state to enact a Paid Family Leave insurance program in 2004. Surveys in 2009 and 2010 found that approximately 90 percent of employers reported the program had either positive or no noticeable effects on productivity and profitability.⁵⁹ The surveys also found that despite initial employer concerns, 91 percent of employers did not experience any instance of employee abuse of the program.⁶⁰ This empirical data may alleviate some of our concerns about the burden placed on employers. But importantly, many of the UC policies discussed would be funded and implemented by the state. The government would play a big role in implementation of UC policies, which should remove a lot of the burden perceived as affecting only employers.

Second, I wish to reframe the objection's claim that the accommodation of caregiving is a burden on employers. The UC takes the position that employers' lack of reasonable caregiving accommodation is a burden on workers and their families. Employers do have important rights,

⁵⁸ Fraser, *Justice Interruptus*, 51.

⁵⁹ Appelbaum and Milkman, "Leaves That Pay," 4.

⁶⁰ Ibid.

but caregiving is a matter of justice because care is a basic need of persons as citizens.⁶¹ The UC discourages companies from free-riding on the unpaid or underpaid carework of employees or their spouses, but this does not mean that it allows workers to free-ride on the finances of employers. The UC's requirement that employers reasonably accommodate caregivers is an attempt to *remove* a burden, not create one.

The UC emphasizes caregivers' needs because their liberty has historically been restricted by arbitrary, socially-imposed labor roles. Things as currently arranged have unjustly disadvantaged groups that traditionally perform the most carework, such as women (especially women of color), working class individuals, and poor immigrants. Men have traditionally shirked their share of carework and been free-riders on women's carework while unjustly obtaining the fruit of that labor (a managed household, cared-for dependents, and the freedom to pursue a high-paying and high-status ideal worker job). Likewise, employers have shirked their responsibilities to caregivers by free-riding on the unpaid carework of whomever their workers relegate care responsibilities to—this is true for both unpaid homemakers or relatives and underpaid workers at childcare centers. As such, employers have reaped the benefits of this carework (the employee's free time and devotion, and arguably society's improvement once it eventually receives a better cared-for young citizen) without appropriately recognizing and paying those who perform it.

The UC is an attempt to keep the fruit of this necessary labor *with* those who perform it. While the simple aim is to reallocate and revalue carework, the UC's policies also disincentivize free-riding, counter gendered social pressures, and provide more options for caregivers to pursue financial independence, social respect, and participation in social spheres important for equal

⁶¹ Caregiving as a matter of justice and as a basic need of persons as citizens is further discussed in my response to the fourth objection.

citizenship. These policies additionally deconstruct gender by eliminating its role in indicating who should perform which kind of labor. This way men can spend more family time at home without facing the consequences that would arise under current conditions, and women can exchange some of their current burden for economic independence and social respect.

There is still much progress to be made for achieving full gender equity, but the Universal Caregiver model would do much to fill the gap between where the United States is and where it should be. The social world that the model imagines is far from the immediate future. But with this worthy vision in mind, we can come a few steps closer to realizing it.

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